

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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LORI IRISH,

Plaintiff,

v.

**ORDER**

Civil File No. 11-2703 (MJD/JJK)

UNITED STATES DEPARTMENT  
OF JUSTICE, et al.,

Defendants.

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Lori Irish, pro se.

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated November 10, 2011. The Report and Recommendation conducts an initial screening of the Complaint pursuant to 28 U.S.C. § 1915A and recommends that the Complaint be dismissed as to Defendants Warden Nicole English and Warden Rios, but remain as to the other named Defendants. In response to the Report and Recommendation, Plaintiff Lori Irish filed a Motion for Permission to Amend Complaint in Regards to Defendants English and Rios. [Docket No. 7]

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated November 10, 2011.

The Report and Recommendation provides clear guidance on the fatal flaws in Plaintiff's Complaint, including direction that a Bivens claim requires an allegation that each defendant personally committed an act or omission in violation of the plaintiff's federal constitutional rights. Despite this guidance, Plaintiff's motion to amend her Complaint with regard to Defendants English and Rios does not provide any information regarding how she would amend her Complaint to state a cognizable claim against these Defendants. Because Plaintiff does not provide any basis for the Court to conclude that an Amended Complaint would state a claim against these Defendants, the Court denies Plaintiff's motion to amend.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated November 10, 2011 [Docket No. 5].

2. Plaintiff's Motion for Permission to Amend Complaint [Docket No. 7] is **DENIED**.
3. All of Plaintiff's claims against Defendants Warden Nicole English and Warden Rios are summarily **DISMISSED** pursuant to 28 U.S.C. § 1915A(b).
4. Defendants Warden Nicole English and Warden Rios are **DISMISSED** from this action.

Dated: January 10, 2012

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court